

[Counsel Listed on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

AFFINITY LABS OF TEXAS, LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD, *et al.*,

Defendants.

Case Nos: 4:14-cv-02717-YGR (LEAD
CASE),

4:14-cv-02966-YGR

JURY TRIAL DEMANDED

AFFINITY LABS OF TEXAS, LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., *et al.*,

Defendants.

Case No: 4:14-cv-03030-YGR

JURY TRIAL DEMANDED

AFFINITY LABS OF TEXAS, LLC,

Plaintiff,

v.

BLACKBERRY LIMITED f/k/a
RESEARCH IN MOTION LIMITED, *et al.*,

Defendants.

Case No: 4:14-cv-03031-YGR

JURY TRIAL DEMANDED

JOINT STATUS REPORT
Hearing Date: March 13, 2015
Time: 9:01 am
Courtroom: 1

Judge: Yvonne Gonzalez Rogers

JOINT STATUS REPORT

Case Nos. 4:14-cv-02717-YGR, 4:14-cv-02966-YGR, 4:14-cv-03030-YGR, 4:14-cv-03031-YGR

The parties to the above-entitled actions jointly submit this JOINT STATUS REPORT pursuant to the Court's August 1, 2014 Order Granting Motion to Stay Case (14-cv-2717, D.I. 67), August 14, 2014 Order Staying Actions Pending *Inter Partes* Review Proceedings and Setting Compliance Hearing (14-cv-2717, D.I. 72; 14-cv-3030, D.I. 95; 14-cv-03031, D.I. 122), and the January 22, 2015 Order Extending The Date of The Compliance Hearing and Deadline for the Joint Status Report (14-cv-2717, D.I. 77; 14-cv-3030, D. I. 97; 14-cv-3031, D.I. 123).

In its August 1, 2014 Order Granting Motion to Stay Case (14-cv-2717, D.I. 67) and August 14, 2014 Order Staying Actions Pending *Inter Partes* Review Proceedings and Setting Compliance Hearing (14-cv-2717, D.I. 72; 14-cv-3030, D.I. 95; 14-cv-03031, D.I. 122), this Court requested a joint status report "notifying the Court of the progress of the review and reexamination proceedings." The below table sets forth the progress of the review and reexamination proceedings:

Asserted Patent	USPTO Proceeding	USPTO Proceeding Status
U.S. Patent No. 7,187,947 (asserted claims: 17 and 19)	<i>Inter Partes</i> Reexamination 95/001,262	Pending in front of the examiner. The examiner has rejected all asserted claims, and indicated that new claim 51 is objected to but would be allowable if rewritten as an independent claim. Affinity Labs filed a Notice of Appeal to the Patent Trial and Appeal Board ("PTAB") on 10/31/14 regarding claims 1-50 and 52-64.
	<i>Ex Parte</i> Reexamination 90/011,254	Pending in front of the examiner. The examiner has rejected all asserted claims, and indicated that new claim 51 is objected to but would be allowable if rewritten as an independent claim. Affinity Labs filed a Notice of Appeal to the PTAB on 10/31/14 regarding claims 1-50 and 52-64.
U.S. Patent No. 7,324,833 (asserted claims: 1-4, 8-12, 15-18, 22-24)	<i>Ex Parte</i> Reexamination 90/010,333	Pending – On Appeal to PTAB. All asserted claims are rejected. Claims 28-35 are confirmed. New claims 48-49 are allowable. New claims 36, 43, 44, and 47 are objected to but would be allowable if rewritten in independent form. Claims 1-27, 37-42, 45 and 46 are on appeal to PTAB.
	<i>Inter Partes</i>	Pending – On Appeal to PTAB. All asserted

Asserted Patent	USPTO Proceeding	USPTO Proceeding Status
	Reexamination 95/001,264	claims are rejected. Claims 28-35 are confirmed. New claims 48-49 are allowable. New claims 36, 43, 44, and 47 are objected to but would be allowable if rewritten in independent form. Claims 1-27, 37-42, 45, and 46 are on appeal to PTAB.
	<i>Inter Partes</i> Reexamination 95/001,223	Pending – On Appeal to PTAB. All asserted claims are rejected. The examiner found claims 6-7, 21 allowable and claims 36-47 are objected to but would be allowable if rewritten in independent form. Claims 1-5, 8-20 and 22-27 are on appeal to PTAB.
U.S. Patent No. 7,634,228 (asserted claims: 1, 3, 6, 7, 9, 10, 12, 13, and 14)	<i>Inter Partes</i> Reexamination 95/001,281	Pending – On Appeal to PTAB. All asserted claims are rejected. The examiner confirmed asserted claim 6. PTAB rejected claim 6 on appeal. Petition for re-hearing by PTAB pending.
	<i>Ex Parte</i> Reexamination 90/011,982	Reexam certificate issued (6/10/14). All asserted claims confirmed.
U.S. Patent No. 7,953,390 (asserted claims: 16, 19, and 20)	<i>Inter Partes</i> Review 2014-00209	Pending – Oral Hearing set for 3/10/15 Expected PTAB Decision by 5/20/15
	<i>Inter Partes</i> Review 2014-00212	Pending – Oral Hearing set for 3/10/15 Expected PTAB Decision by 5/20/15
U.S. Patent No. 8,359,007 (asserted claims: 1, 2, 5, 6, 7, 8, and 10)	<i>Inter Partes</i> Review 2014-00407	Pending – Oral Hearing set for 4/1/15 Expected PTAB Decision by 7/21/15
	<i>Inter Partes</i> Review 2014-00408	Pending – Oral Hearing set for 4/1/15 Expected PTAB Decision by 7/21/15
U.S. Patent No. 8,532,641 (asserted claims: 1-3, 5-14)	<i>Inter Partes</i> Review 2014-01181	Pending – Oral Hearing set for 10/28/15 Expected PTAB Decision by 1/30/16
	<i>Inter Partes</i> Review 2014-01182	Pending – Oral Hearing set for 10/28/15 Expected PTAB Decision by 1/30/16
	<i>Inter Partes</i> Review 2014-01184	Pending – Oral Hearing set for 10/28/15 Expected PTAB Decision by 1/30/16

On February 27, 2015, Samsung filed two petitions for *inter partes* review of the '641 patent (2015-00820; 2015-00821) and motions for joinder with the previously instituted *inter partes* review proceedings on the '641 patent (2014-01181; 2014-01184).

On February 19, 2015, Affinity Labs filed in this Court a motion for leave to move to reopen for the limited purpose of modifying the prosecution bar. (Case 4:14-cv-02717-YGR,

1 D.I. 80). This motion is currently pending. Affinity Labs includes reference to this motion
 2 because the motion involves the *inter partes* review proceedings. Defendants do not agree that
 3 reference to this motion should be included in this update. Defendants will oppose Affinity
 4 Labs' motion pursuant to the schedule set forth in the Local Rules.

5 March 2, 2015

Respectfully Submitted,

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